

HOUSE BILL 31
Constitutional Amendment

Unofficial Copy
L2

2003 Regular Session
3r0848

By: **Delegate Fulton**

Introduced and read first time: January 16, 2003

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City - City Manager**

3 FOR the purpose of adding a new section to the Constitution of Maryland providing
4 for a City Manager for the City of Baltimore; providing that the City Manager is
5 the chief administrative officer of Baltimore City with certain powers; providing
6 for the appointment, term, compensation, and removal of the City Manager;
7 requiring the City Manager to perform certain duties concerning the
8 appointment of certain officers of the Baltimore City government and the budget
9 of Baltimore City; authorizing the City Manager to suspend or remove certain
10 officers of the Baltimore City government in certain circumstances; authorizing
11 the City Manager to appoint, suspend, or remove certain employees of the
12 Baltimore City government in certain circumstances; and submitting this
13 amendment to the qualified voters of the State of Maryland for their adoption or
14 rejection.

15 BY proposing an addition to the Constitution of Maryland
16 Article XI - City of Baltimore
17 Section 10

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, (Three-fifths of all the members elected to each of the two Houses
20 concurring), That it be proposed that the Constitution of Maryland read as follows:

21 **Article XI - City of Baltimore**

22 10.

23 (A) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE OR ARTICLE
24 XI-A OF THIS CONSTITUTION, OR ANY LAW ENACTED IN ACCORDANCE WITH THIS
25 ARTICLE OR ARTICLE XI-A OF THIS CONSTITUTION, THERE IS A CITY MANAGER FOR
26 THE CITY OF BALTIMORE.

27 (B) THE CITY MANAGER SHALL BE APPOINTED BY THE CITY COUNCIL OF
28 BALTIMORE CITY.

1 (C) THE CITY MANAGER SHALL BE THE CHIEF ADMINISTRATIVE OFFICER OF
2 BALTIMORE CITY AND SHALL BE RESPONSIBLE FOR THE ADMINISTRATION OF ALL
3 BALTIMORE CITY GOVERNMENT MATTERS AND THE DAILY OPERATION OF THE
4 BALTIMORE CITY GOVERNMENT.

5 (D) (1) THE MAYOR AND CITY COUNCIL SHALL SET, BY ORDINANCE, THE
6 TERM AND COMPENSATION OF THE CITY MANAGER.

7 (2) THE CITY MANAGER MAY BE REMOVED ONLY FOR JUST CAUSE BY A
8 THREE-QUARTERS MAJORITY VOTE OF THE CITY COUNCIL.

9 (E) THE CITY MANAGER SHALL:

10 (1) ASSIST THE MAYOR IN APPOINTING ANY OFFICER OF THE
11 BALTIMORE CITY GOVERNMENT, SUBJECT TO THE ADVICE AND CONSENT OF THE
12 CITY COUNCIL;

13 (2) PREPARE AND SUBMIT ANNUALLY THE BUDGET OF BALTIMORE CITY
14 TO THE MAYOR AND CITY COUNCIL; AND

15 (3) PERFORM OTHER DUTIES AS REQUIRED BY ORDINANCE BY THE
16 MAYOR AND CITY COUNCIL.

17 (F) (1) AFTER PRIOR NOTIFICATION TO THE MAYOR AND CITY COUNCIL,
18 THE CITY MANAGER MAY, FOR JUST CAUSE, SUSPEND OR REMOVE ANY OFFICER OF
19 THE BALTIMORE CITY GOVERNMENT.

20 (2) EXCEPT WHEN THE CITY MANAGER AUTHORIZES THE HEAD OF A
21 DEPARTMENT OR OFFICE TO APPOINT, SUSPEND, OR REMOVE SUBORDINATES IN
22 THE DEPARTMENT OR OFFICE, THE CITY MANAGER MAY APPOINT AND, FOR JUST
23 CAUSE, SUSPEND OR REMOVE ANY EMPLOYEE OF THE BALTIMORE CITY
24 GOVERNMENT.

25 SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly
26 determines that the amendment to the Constitution of Maryland proposed by this Act
27 affects the City of Baltimore and that the provisions of Article XIV, Section 1 of the
28 Constitution concerning local approval of constitutional amendments apply.

29 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section
30 proposed as an amendment to the Constitution of Maryland shall be submitted to the
31 legal and qualified voters of this State at the next general election to be held in
32 November, 2004 for their adoption or rejection in pursuance of directions contained in
33 Article XIV of the Constitution of this State. At that general election, the vote on this
34 proposed amendment to the Constitution shall be by ballot, and upon each ballot
35 there shall be printed the words "For the Constitutional Amendment" and "Against
36 the Constitutional Amendment," as now provided by law. Immediately after the
37 election, all returns shall be made to the Governor of the vote for and against the
38 proposed amendment, as directed by Article XIV of the Constitution, and further
39 proceedings had in accordance with Article XIV.